

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

CODE-TO-LEARN FOUNDATION D/B/A
SCRATCH FOUNDATION,

Plaintiff,

v.

SCRATCH.ORG, an Internet domain name,

Defendant.

Civil Action No. 1:19-cv-67-LO-MSN

ORDER

This matter comes before the Court on Plaintiff's Second Motion to Compel (Dkt. No. 53). Having reviewed the motion, and for the reasons stated from the bench, it is hereby

ORDERED that the Motion is GRANTED in part. The list of domain names and related information shall be de-designated. The Court finds that the information does not warrant designation as either Attorneys' Eyes Only or Confidential under the Protective Order. It is further ORDERED that the Defendant shall provide complete discovery responses as set forth in open court by Wednesday, October 9, at 12:00 p.m., including a comprehensive list of domain names presently *and previously owned* by Defendant; disclosure of all revenue derived therefrom, including from the sale of domain names and from advertisement revenue; and dates Defendant owned each domain name. Defendant shall also provide all requested underlying information, whether public or private, that Defendant received pertaining to allegations of trademark abuse against Defendant. To the extent Defendant has discarded, destroyed, or lost any information related to past allegations of trademark abuse, he must affirmatively so state. Both defense counsel and Defendant shall sign the discovery responses certifying that they are true and accurate. Defendant is hereby placed on notice that failure to comply with this Order

may result in sanctions, including but not limited to, a finding of bad faith with regard to the underlying claim in this case.

October 3, 2019
Alexandria, Virginia

/s/

Michael S. Nachmanoff
United States Magistrate Judge